

**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554**

NOV 14 2012

IN REPLY REFER TO:
1800B3-DW

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Danny Langston
Sterling Communications, Inc.
219 Dodd Road
Ringgold, GA 30736-2958

In re: K239BD, Aberdeen, SD
Facility ID No. 148212
Silent since September 2, 2011
Notification of License Expiration
VCY America, Inc.

Dear Mr. Langston:

Our records indicate that the station referenced above has been silent since at least September 2, 2011. Therefore, pursuant to Section 312(g) of the Communications Act, as amended, ("Act")¹ the station's license expired as a matter of law at 12:01 A.M., September 3, 2012. Unless we receive documented evidence within 30 days of the date of this letter that our records incorrectly reflect the operational status of the station and that, in fact, the station returned to the air at some time between September 2, 2011, and 12:01 A.M., September 3, 2012, the Commission's public and internal databases will be modified to indicate that the broadcast license for the referenced station IS EXPIRED, that the station's license IS CANCELED as a matter of law, and that the station's call sign IS DELETED.

Finally, we note that it is imperative to the safety of air navigation that any prescribed painting and illumination of the station's tower be maintained until the tower is dismantled. Accordingly, the owner of the tower where the referenced station's transmitting antenna is located is required to maintain the tower in the manner prescribed by our rules and the terms of the cancelled license.²

Please direct any questions concerning the content of this letter to Denise Williams, Analyst, phone (202-418-2711), fax (202-418-1411), or e-mail (Denise.Williams@fcc.gov).

Sincerely,



Peter H. Doyle, Chief
Audio Division
Media Bureau

¹ Section 312(g) of the Communications Act provides that "if a broadcasting station fails to transmit broadcast signals for any consecutive 12-month period, then the station license granted for the operation of that broadcast station expires at the end of that period, notwithstanding any provision, term, or condition of the license to the contrary." 47 U.S.C. § 312(g).

² See 47 U.S.C. § 303(q); 47 C.F.R. §§17.1 *et seq.* and 73.1213. See also *Streamlining the Commission's Antenna Structure Clearance Procedure*, Report and Order, 11 FCC Rcd 4272, 4293 (1995) (tower owner bears primary responsibility for maintaining tower painting and/or lighting).